

## **NEBRASKA BOARD OF MEDICINE AND SURGERY**

### **MEETING MINUTES**

**March 10, 2017**

#### **ROLL CALL**

The meeting of the Board of Medicine and Surgery was called to order by Chairman, Carl Smith, MD, at 9:00 a.m. on March 10, 2017, in the Lighthouse Room, Country Inn & Suites, 5353 N 27<sup>th</sup> Street, Lincoln, Nebraska. The following members answered the roll call:

Carl Smith, MD, Chairman  
Mark Goodman, MD, Vice-Chair  
Todd Stull, MD, Secretary  
Merle Henkenius  
Michael Bittles, MD  
Jeff Howorth

Absent: Karen Higgins, MD  
Judith Scott, DO

A quorum was present and the meeting convened.

Also present to participate in the meeting: Kathie Lueke, Program Manager, Kelli Dalrymple, Health Licensing Coordinator, Licensure Unit; Mindy Lester, Assistant Attorney General, Jeff Newman, Investigator; Kathleen Krueger, Investigator, Mike Meyerson, Investigator, Investigations Unit.

#### **REVIEW OF AGENDA**

Goodman moved, seconded by Stull, to approve adoption of the agenda. Voting aye: Bittles, Howorth, Stull, Goodman, Smith, and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

#### **APPROVAL OF MINUTES OF THE MEETING**

Goodman moved, seconded by Howorth to approve the minutes for January 20, 2017, as presented. Voting aye: Bittles, Stull, Goodman, Howorth, Smith, and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

#### **DISCUSSION ON HALOTHERAPY – SALT SKIN AND LUNG THERAPY AND SPA**

Yesenia Osorio Rojas and her attorney of record presented information related to the Cease and Desist Order issued to Salt, Skin and Lung Therapy and Spa.

#### **INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, APPLICATION REVIEW**

Goodman moved, seconded by Stull, to go into closed session at 9:15 a.m. for the purpose of review of investigational and disciplinary reports and other closed session items as identified on the agenda. Voting aye: Bittles, Stull, Goodman, Howorth, Smith, and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

Lester left the meeting at 9:19 a.m.

Glover-Ettrich left the meeting at 9:24 a.m.  
Lester returned to the meeting at 9:24 a.m.

Goodman left the meeting at 10:18 a.m.

Goodman returned to the meeting at 10:24 a.m.

Goodman moved, seconded by Stull, to open the session at 10:34 a.m. Voting aye: Bittles, Stull, Goodman, Howorth, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

### **BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE**

#### **Physician and Osteopathic Physician Application(s)**

ADAMS, ALLEN - application for a license to practice medicine and surgery. Goodman moved, seconded by Stull, to recommend issuance of license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

BURKS, MICHAEL - application for a license to practice medicine and surgery. Stull moved, seconded by Howorth, to recommend issuance of license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

FERMELIA, RICHARD - application for a license to practice medicine and surgery. Bittles moved, seconded by Howorth, to table the recommendation for further information. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

HILL, MARK - application for a license to practice medicine and surgery. Howorth moved, seconded by Stull, to recommend to issuance of license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

HOEHN, KAREN - application for a license to practice osteopathic medicine and surgery. Stull moved, seconded by Howorth, to recommend issuance of a license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

IACOB, CODRIN - application for a license to practice medicine and surgery. Goodman moved, seconded by Howorth, to recommend issuance of a license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

LANTSBERG, ILYA - application for a license to practice osteopathic medicine and surgery. Bittles moved, seconded by Stull, to recommend issuance of a license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

NISSENBAUM, MICHAEL - application for a license to practice medicine and surgery. Stull moved, seconded by Howorth, to recommend issuance of a license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

SHONK, JOHN - application for a license to practice medicine and surgery. Goodman moved, seconded by Stull, to recommend issuance of a license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

TAMBAKIS-ODUM, CONSTANCE - application for a license to practice medicine and surgery. Howorth moved, seconded by Stull, to recommend issuance of a license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

AGARWAL, DIPITI - application for a license to practice medicine and surgery. Stull moved, seconded by Bittles, to issue license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

BOBNICK, SARAH - application for a license to practice medicine and surgery. Howorth moved, seconded by Bittles, to recommend issuance of a license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

FERRY, ROBERT - application for a license to practice medicine and surgery. Bittles moved, seconded by Stull, to recommend issuance of a license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

FINE, ANANDA-KRIIYA - application for a license to practice medicine and surgery. Howorth moved, seconded by Stull, to table pending further information. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

RODIONOVA, MARIA - application for a license to practice medicine and surgery. Bittles moved, seconded by Stull, to table recommendation for pre-licensure investigation. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

SMITH, STEPHEN - application for a license to practice medicine and surgery. Bittles moved, seconded by Stull, to recommend issuance of a license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

TURK, DAVID - application for a license to practice medicine and surgery. Howorth moved, seconded by Bittles, to table pending further information. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

ZAMBRANO, JACINTO - application for a license to practice medicine and surgery. Stull moved, seconded by Goodman, to recommend issuance of a license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

TAYLOR, AMBER - application for a license to practice medicine and surgery. Bittles moved, seconded by Stull, to recommend issuance of a license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

HERR, ROBERT - application for a license to practice medicine and surgery. Stull moved, seconded by Bittles, to recommend issuance of a license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

GRANT, DAVID - application for a license to practice medicine and surgery. Bittles moved, seconded by Stull, to recommend issuance of a license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

LEE, SUKCHAN - application for a license to practice medicine and surgery. Howorth moved, seconded by Stull, to recommend issuance of a license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

#### Reinstatement

BRUCE, VERNON – reinstatement application for a physician license. Bittles moved, seconded by Howorth, to recommend reinstating the license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

MISCIA, VINCENT- application for a locum license to practice medicine and surgery. Stull moved, seconded by Bittles, to recommend issuance of a license. Voting aye: Bittles, Howorth, Stull, Goodman, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried.

#### E-Mail Ballot(s) Since the Last Meeting

Since their last meeting, the Board voted via e-mail ballot to issue a surgical first assistant license to Tonya Alford and Christopher Wilson on February 8, 2017.

### **LEGISLATION UPDATE**

- A. Dale Mahlman from the Nebraska Medical Association gave an update for the Board on status of bill in legislature that the NMA is watching.
- B. Kathie Lueke advised the Board that if there is any potential subjects/bills that the Board would like introduced for the 2018 legislation. The board members suggested an Administrative License option for Physicians and mimicking the exception in Athletic Training regulations for professionals licensed in another state to accompany and provide services for a traveling team from that same state. An additional consideration is including the definition for patient/physician relationship

### **PHARMACEUTICAL CARE AGREEMENTS**

The Board has concerns with some of the authority that the agreements are allowing Pharmacists to take on. They would like it brought up to the Pharmacy Board and have some of the agreements scaled back. There is a concern that authority is being given to allow the practice of medicine.

### **FYI – ARTICLE ON COMPOUNDING IN A PHYSICIAN'S OFFICE**

The Board had no comments or concerns.

### **FYI – UPDATE ON LICENSE APPLICATION PROCESS IMPROVEMENT**

Lueke provided an update as to the current status of the process improvement for the Office of Medicine and Specialized Health.

### **ADJOURNMENT**

There being no further business, Goodman moved, seconded by Bittles, to adjourn the meeting at 11:39 p.m. Voting aye: Bittles, Stull, Goodman, Howorth, Smith and Henkenius. Voting nay: none. Absent: Higgins and Scott. Motion carried

Respectfully submitted,

\*signature available upon request\*

Todd Stull, Secretary  
Board of Medicine and Surgery